



Sen. Iris Y. Martinez

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09400HB4342sam001

LRB094 12779 LCT 57187 a

1 AMENDMENT TO HOUSE BILL 4342

2 AMENDMENT NO. _____. Amend House Bill 4342 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Mobile Home Park Act is amended by adding
5 Section 9.15 as follows:

6 (210 ILCS 115/9.15 new)

7 Sec. 9.15. Fire safety.

8 (a) Each mobile home park shall be inspected annually
9 pursuant to the applicable mobile home park fire protection
10 standards. The inspection shall be conducted by the municipal
11 fire department or fire protection district that has
12 jurisdictional responsibility for responding to a fire call in
13 that park.

14 If, upon inspection, the municipal fire department or fire
15 protection district finds that a park does not meet the
16 applicable fire protection standards as determined by the
17 Department of Public Health, the municipal fire department or
18 fire protection district shall, within 3 days, give a written
19 notice of violation to the licensee and to the Department of
20 Public Health of any violation or required modification or
21 repair. The licensee shall have 14 days after receipt of the
22 written notice to correct the violation or submit a plan for
23 correction, repair, or modification to the Department.

24 No less than 60 days after the receipt of the notice by the

1 licensee, the municipal fire department or fire protection
2 district shall reinspect the park and issue a written
3 reinspection report to the licensee and the Department of
4 Public Health concerning the status of the licensee's
5 compliance with the notice and whether any violation still
6 exists. If the municipal fire department or fire protection
7 district determines on reinspection that a licensee has not
8 complied with the notice or that the compliance is not
9 complete, the municipal fire department or fire protection
10 district shall notify in writing, within 3 days, the Department
11 of Public Health and the licensee. Upon receipt of the notice,
12 the Department shall conduct an administrative hearing
13 pursuant to the Illinois Administrative Procedure Act to
14 determine what action, if any, is required to comply with the
15 notice and by what date compliance must occur.

16 If a licensee fails to comply with the requirements as put
17 forth in the administrative hearing order then the Department
18 shall notify the appropriate municipal attorney or State's
19 Attorney of the licensee's failure to comply with the
20 administrative hearing order and shall deliver to that attorney
21 for purposes of enforcement under this Section copies of all
22 written notices and reports concerning the violation.

23 (b) A licensee who knowingly rents or offers for rent a
24 mobile home or mobile home lot in violation of the
25 administrative hearing order without correcting the violation
26 is guilty of a petty offense. The penalty shall be a civil
27 penalty of not more than \$500 per day of violation. The first
28 day of violation for purposes of assessing a civil penalty
29 shall be the date that the licensee fails to conform with the
30 compliance date as set forth in the administrative hearing
31 order.

32 (c) As used in this Section, "applicable mobile home park
33 fire protection standards" means the rules adopted by the
34 Department of Public Health for fire safety in mobile home

1 parks.

2 (d) Notwithstanding Section 26 of this Act, the regulation
3 of fire safety in a mobile home park is an exclusive power and
4 function of the State. A home rule unit may not regulate the
5 legal rights, remedies, and obligation of a licensee under this
6 Section. This Section is a denial and limitation under
7 subsection (h) of Section 6 of Article VII of the Illinois
8 Constitution."